GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA

STARRED QUESTION NO:27
ANSWERED ON:24.07.2001
CURTAILMENT OF POWER OF VICE CHANCELLORS
JASWANT SINGH YADAV;SURESH RAMRAO JADHAV (PATIL)

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the Government have curtailed the emergency powers of vice-chancellors of the Central Universities;

(b) if so, the details in this regard;

(c) the reasons therefor;

(d) whether the Government have issued any guidelines in this regard; and

(e) if so, the details thereof?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (DR. MURLI MANOHAR JOSHI)

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. 27 TO BE ANSWERED ON 24.7.2001 ASKED BY DR. JASWANT SINGH YADAV AND SHRI SURESH RAMRAO JADHAV REGARDING CURTAILMENT OF POWER OF VICE CHANCELLORS

(a) to (e): In all the Central Universities either the Acts or the Statutes vest certain 'emergency powers' in the Vice Chancellors. By virtue of these powers, the Vice Chancellors are authorised, in matters requiring urgent action, to exercise powers vested in any authority of the University. While these powers are supposed to enable the Vice Chancellors to deal with emergencies and unforeseen contingencies without having to wait for the relevant bodies of the Universities to meet; a few universities have been invoking this power as a matter of routine with the result that the statutory bodies, like the Court, the Executive Council and the Academic Council etc. are being increasingly asked to endorse action taken on their behalf by the Vice Chancellors thereby marginalising these bodies. In order that such a rather regressive development could be checked thereby enabling statutory bodies to play the critical important role envisaged for them in the overall democratic governance of the Universities, the Government have, with the approval of the President, in his capacity as the Visitor of all the Central Universities, issued the following guidelines for observance by the Vice Chancellors of all the Central Universities:

(i) Emergency powers conferred on the Vice Chancellors should be exercised with restraint and only in such emergency situations where the authority ordinarily empowered to exercise such powers is unlikely to meet in the near future and deferring a decision for consideration of the appropriate body is likely to create serious administrative inconvenience.

(ii) Routine matters like creation of teaching and academic posts, appointment to the said posts, finalising recruitment procedures, promotions under Merit Promotion Scheme/Career Advancement Scheme, upgradation of posts making them personal to the incumbents should invariably be placed before the authorities ordinarily empowered to take decisions in such cases. Emergency powers should not be exercised by the Vice Chancellors in such cases.

(iii) Policy matters like amending/making/repealing of Statutes which, in fact, require assent of the Visitor should in no case be decided by the Vice Chancellors by invoking emergency powers.